

875—9.9(88) Complaints under or related to the Act.

9.9(1) Discharge of, or discrimination against, an employee because the employee has filed “any complaint . . . under or related to this Act . . . ” is prohibited by Iowa Code section 88.9(3). An example of a complaint made “under” the Act would be an employee request for inspection pursuant to Iowa Code section 88.6(5). However, this would not be the only type of complaint protected by Iowa Code section 88.9(3). The range of complaints “related to” the Act is commensurate with the broad remedial purposes of this legislation and the sweeping scope of its application.

9.9(2) Complaints registered with other governmental agencies which have the authority to regulate or investigate occupational safety and health conditions are complaints “related to” this Act. These types of complaints, however, must relate to conditions at the workplace, as distinguished from complaints touching only upon general public safety and health.

9.9(3) Further, the salutary principles of the Act would be seriously undermined if employees were discouraged from lodging complaints about occupational safety and health matters with their employers. Such complaints to employers, if made in good faith, therefore would be related to the Act, and an employee would be protected against discharge or discrimination caused by a complaint to the employer.